

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

February 13, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

KATHLEEN GIRAMUR

Plaintiff

v.

HONORABLE CHRISTINE E. WORMUTH,

Secretary of the Army d/b/a Brooke Army
Medical Center

Defendant

BY: NM
DEPUTY

CIVIL NO. SA-22-CV-529-OLG

ORDER ACCEPTING MAGISTRATE JUDGE'S RECOMMENDATION

On this date the Court considered the report and recommendation of United States Magistrate Judge Henry J. Bemporad, filed in the above-styled and numbered cause on December 12, 2023. Docket no. 35. Plaintiff filed objections, which have been considered. Docket no. 39. The Court has conducted an independent review of the record and has reviewed the applicable law. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). Upon review, the Court finds that the recommendation should be accepted in its entirety.

It is therefore ORDERED that the recommendation of United States Magistrate Judge Henry J. Bemporad (docket no. 35) is ACCEPTED pursuant to 28 U.S.C. § 636(b)(1). It is further ORDERED that Defendant's motion to dismiss the claims in Plaintiff's second amended complaint (docket no. 27) is GRANTED IN PART and DENIED IN PART for the reasons stated in the recommendation. All claims, with the exception of Plaintiff's retaliation claim, are DISMISSED WITH PREJUDICE.

SIGNED and ENTERED on the 13 day of February, 2024.



ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE